

BEFORE THE HUMAN RIGHTS COMMISSION  
OF THE STATE OF MONTANA

\*\*\*\*\*

JOANIE BETSCHART,	)	
Charging Party,	)	
	)	CASE NO. 000109304
v.	)	
	)	<b>ORDER</b>
EVERGREEN BOZEMAN HEALTH	)	
CARE INC.,	)	
Respondent.	)	

\*\*\*\*\*

The above-captioned matter came before the Montana Human Rights Commission (Commission) on March 19, 2001. The matter was before the Commission for consideration of the Charging Party's objection to the dismissal of the complaint. Oral argument was not requested and the matter was considered on the record.

After reviewing the record, the Commission finds that the Human Rights Bureau properly dismissed the matter. The record shows that the Charging Party was a qualified nurse with an Attention Deficit Disorder disability who requested an accommodation to assist her in completing her work in a timely manner. However, the record supports the investigator's finding that Respondent did not discriminate against Charging Party by failing to accommodate her because of the prohibitive cost of making the requested accommodations, and because Charging Party was unable to perform the functions of her job with the accommodations that were provided. The Investigator did not abuse her discretion in concluding that there was no reasonable cause to find that Respondent discriminated against Charging Party. 24.9.1714(3), ARM. Accordingly, the matter was properly dismissed.

IT IS HEREBY ORDERED, that the Human Rights Bureau's order dismissing the complaint is affirmed and the Charging Party's objection is overruled.

DATED this \_\_\_\_ day of March, 2001.

---

Gloria "Patt" Etchart, Chair  
Montana Human Rights Commission

## **CERTIFICATE OF SERVICE**

The undersigned employee of the Human Rights Bureau certifies that a true copy of the foregoing **ORDER** was served on the following persons by U. S. Mail, postage prepaid on the \_\_\_\_\_ day of March, 2001.

JOANIE BETCHART  
3521 1<sup>ST</sup> AVE S  
GREAT FALLS, MT 59401

PATRICE GOODMAN  
EVERGREEN HEALTHCARE  
4601 NE 77<sup>TH</sup> AVE STE 300  
VANCOUVER, WA 98662

---

Farah Davidson, Human Rights Bureau